

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cv-00366-MR-WCM

JONATHAN DANIEL WILLIAMS,

Plaintiff,

v.

DEPARTMENT OF PUBLIC SAFETY –
STATE OF NORTH CAROLINA –
STATE HIGHWAY PATROL;
RANDY L. DEATON, *Captain*;
BRANDON S. SMITH, *Lieutenant*;
HAROLD F. STINES;
AARON C. AMMONS, *Sergeant*; and
CHRISTOPHER W. COOK, *Sergeant*;

Defendants.

ORDER

This matter is before the Court on a Motion (Doc. 15) filed by Plaintiff Jonathan Daniel Williams (the “Pro Se Litigant”) and attorney Allan R. Tarleton. Having reviewed the court file and considered the Motion, the Court is of the opinion that the Motion should be allowed and that this matter should be referred to the Pro Se Settlement Assistance Program (the “Program”).

IT IS THEREFORE ORDERED THAT:

1. The Motion (Doc. 15) is **GRANTED**.
2. All parties to this action shall participate in a settlement conference pursuant to the Program, and as directed by this Order, before

undertaking any other measures with respect to this action.

3. Solely in connection with the Program, the Court **APPOINTS** Allan R. Tarleton as Program Counsel for the limited purpose of assisting Pro Se Litigant with the settlement conference and the procedures associated with the Program. Program Counsel has no obligation to conduct discovery, prepare or respond to any motions, participate in the trial, or take any other measures on behalf of Pro Se Litigant in this action.
4. The parties shall have fourteen (14) days from the entry of this Order to designate a mediator who is certified in this district to preside over a mediated settlement conference, and to file an appropriate Notice of Designation of Mediator.
5. The parties shall hold a mediated settlement conference within sixty (60) days from the entry of this Order. The conference will be governed by the North Carolina Rules Implementing Statewide Mediated Settlement Conferences, as adopted and amended by Local Civil Rule 16.3. The Mediator shall file with the Court a report describing the result of the mediated settlement conference within five (5) days of the conclusion of the conference.
6. If the Mediator's Report states that the parties have reached an agreement as to all issues, Program Counsel's limited representation

of Pro Se Litigant shall terminate upon the closing of the case through an appropriate dismissal, provided that Program Counsel's representation shall not extend beyond thirty (30) days after the filing of the Mediator's Report absent further order of the Court. If the Mediator's Report states that the parties have not reached agreement as to all issues or if the settlement conference concluded at an impasse, Program Counsel's limited representation of Pro Se Litigant shall automatically terminate upon the filing of the Mediator's Report.

7. If, after the completion of the settlement conference, this matter is not dismissed in its entirety, the parties shall conduct an Initial Attorney's Conference as specified in Local Rule 16.1 and file the required Certification Form for reference by the Court in connection with the entry of an appropriate pretrial order and case management plan.

Signed: July 17, 2024



W. Carleton Metcalf
United States Magistrate Judge

